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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John Murray, et al. Examiner: Sanjiv Shah

Serial No.: 10/662,974 Group Art Unit: 2627

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Title: DATABASE UTILITIES

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. §3.73(b)

BMC Software, Inc., hereby certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of a chain of title from the inventor(s) of the patent application/patent identified above, to the current assignee as shown below

From Tom Harper, John Murray, to Neon Enterprise Software, Inc. The document was recorded at the United States Patent and Trademark Office on August 4, 2004 at Reel 015642, Frames 0656.

From <u>Staktek Group, L.P.</u>, to <u>Neon Enterprise Software, Inc.</u> The document was recorded at the United States Patent and Trademark Office on <u>August 4, 2004</u> at Reel 015642, Frames 0651.

From Neon Enterprise Software, Inc., to Neon Enterprise Software, LLC The document was recorded at the United States Patent and Trademark Office on June 15, 2011 at Reel 026455, Frames 0822.

From Neon Enterprise Software, LLC to BMC Software, Inc. The document was recorded at the United States Patent and Trademark Office on November 8, 2011 at Reel 027190, Frames 0237.

Please direct all telephone calls and correspondence to:

BRAKE HUGHES BELLERMANN LLP CUSTOMER NUMBER 93236

The undersigned is authorized to act on behalf of the owner.

Pursuant to 37 C.F.R. §3.73(b) I hereby declare that I am empowered to sign this certificate on behalf of BMC Software, Inc, the assignee.

Date: November 23, 2011 By: /Joseph F. Key, Reg. No. 44,827/